

**GEORGIA STATE BOARD OF OCCUPATIONAL THERAPY
MINUTES OF BOARD MEETING
July 22, 2005**

A meeting of the Georgia State Board of Occupational Therapy was held on July 22, 2005 at the Secretary of State Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia with the following members present:

Members Present:

Kendyl R. Brock, OTR/L, CHT, President
Kathleen H. Conyers, OTR/L, Vice President
Donna J. Domyslawski, OTR/L
Mary Louise Austin, Consumer
Karen L. Cadaret, COTA/L

Absent:

Others Present:

Mollie Fleeman, Division Director
Yvonne LeSane, Board Secretary
M.H., Applicant

Serena Gadson, Application Specialist
Wylencia Monroe, Asst. Atty. General
Kathy Harvey, Enforcement

Ms. Brock established a quorum of the Board was present and called the Board meeting to order at 10:07 a.m.

Ms. Domyslawski moved and Ms. Cadaret seconded and the Board voted to enter into Executive Session in accordance with O.C.G.A. §43-1-19(h)(2)&(4), O.C.G.A. §43-1-2(k)(1)(2), O.C.G.A. §43-1-2(k)(4) and O.C.G.A. §50-14-2(1) to deliberate on Investigations, Applications and Attorney General's Report and to receive information on Investigations, Applications and Attorney General's Report. Voting in favor of the motion were those present who included Board Members Brock, Domyslawski, Cadaret, Austin and Conyers. The Board concluded Executive Session in order to vote on these matters and to continue with the public session.

Agenda: The agenda was reviewed and revised.

Minutes: Ms. Domyslawski moved, Ms. Austin seconded and the Board voted to approve the Regular Board Meeting Minutes of May 20, 2005 as amended and to add an addendum to the January 21, 2005: Election of Officers.

Correspondence:

The Board considered the following correspondence and matters of interest:

Kay Nelson, OTR, Amie LoCicero, PT, Brenda Troup, SLP: Request for clarification on licensure laws and the codes of ethics regarding the Babies Can't Wait primary coach model. **Board Response:** Please refer to the laws and rules governing your licensure. All licensees must stay within their prevailing scope of practice.

Virginia Allen: 1) Please clarify the "new" CE rules, 2) do the new requirements take effect for the 2006 renewal? 3) May I meet with the Board regarding the GOTA CE Approval Committee and a liaison of the Board staff? **Board Response:** 1) The website has been updated pertaining to the CE rule. 2) Yes. The new requirement is effective for the 2006 renewal. 3) You are welcome to

attend the public portion of the Occupational Therapy meeting and since the Board does not prior approve, we are unable to provide Board staff as a liaison.

Deborah Yarett Slater, AOTA: There are newly adopted AOTA Occupational Therapy Code of Ethics as of May 2005. You are encouraged to reference the current Code in your statute and regulations which address ethical conduct. **Board Response:** Refer to the Attorney General's office for review and advice.

Karen Smith, AOTA: New or revised AOTA documents that may be helpful to your role as state regulators. **Board Response:** No response necessary.

Josh Reissig: Can a licensed OT, but not modality certified, perform modalities treatments under the supervision of a modality certified OT or PT? **Board Response:** You must be certified in modalities to perform modality functions. Please submit an application to become modality certified. The application can be downloaded at our website: www.sos.state.ga.us.

Brandy Maruschak: Do you accept CME's as therapy contact hours for OT licensure renewal? **Board Response:** Please refer to your laws and rules regarding continuing education. The website is www.sos.state.ga.us.

William A. Kopke: 1) Where may I find the new renewal requirements? 2) Why are graduates who have taken ethics required to repeat this training? 3) Where can additional requirements to the renewal process be found? 4) There is no ethics coursework in No. Carolina, therefore what courses are available to out-of-state licensees. **Board Response:** 1) At the Board's website: www.sos.state.ga.us. 2) It is considered continuing education and addresses the concerns of the Board. 3) Please check the Board's website: www.sos.state.ga.us. 4) There are on-line courses for ethics.

Executive Director's Report:

Ms. Fleeman provided the Board with information on the following:

- Allied Health Executive Director to start August 1, 2005

Attorney General's Report:

Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to accept the update presented on the following case: **OT01200001**

Enforcement Report:

Amy Wuttke: Ms. Domyslawski moved and Ms. Austin seconded and the Board voted to accept the signed Cease and Desist Order.

Probation Report:

Denise Marie Lorren: Ms. Domyslawski moved and Ms. Cadaret seconded and Board voted to request Ms. Lorren to adhere to her consent order and provide a written request and outline of the required course to the Board for approval.

November 2005 Public Meeting:

After discussion, the Board opted to have their November Public Meeting at the Archives Building.

Rule Revision: 671-4-.02 in lieu of 671-6-.03(4)

Ms. Cadaret moved and Ms. Austin seconded and the Board voted to eliminate the revision to 671-6-.03(4).

Ms. Cadaret moved and Ms. Austin seconded and the Board voted to post 671-4-.02 in lieu of 671-6-.03(4) as follows:

Ms. Cadaret moved and Ms. Austin seconded and the Board voted to consider for adoption the proposed rule amendments and to post the Notice of Intent to Adopt and Notice of Hearing for the proposed rule changes to 671-4-.02 for no less than 30 days prior to the date the Board intends to adopt the proposed rule changes.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that the formulation and adoption of Rule 671-4-.02 do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A § 43-1-19, 43-28-8.1 and 43-28-13.

Ms. Cadaret moved and Ms. Austin seconded and the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. § 43-1-19, 43-28-8.1 and 43-28-13 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(3)(A),(B),(C),&(D) and that the formulation and adoption of Rule 671-4-.02 will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Occupational Therapy. The proposed rule amendments to 671-4-.02 are as follows:

671-4-.02 Unprofessional Conduct Defined.

Unprofessional conduct shall include, but not be limited to, the following:

- (a) Obtaining or attempting to obtain a license by fraud, misrepresentation, or concealment of material facts;
- (b) Violating the ethics of occupational therapy as set forth by the Georgia Board of Occupational Therapy;
- (c) Being grossly negligent in the practice of occupational therapy or as an occupational therapy assistant;
- (d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;
- (e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;
- (f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant; or

(g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;
~~(g)~~ (h) Having committed any other conduct which ordinary and reasonable ~~men~~ individuals would consider unprofessional.

EXACT COPY OF THE PROPOSED RULES

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- (d) Using drugs or intoxicating liquors to the extent that these effect the licensee's professional competence;
- (e) Practicing occupational therapy after being adjudged mentally incompetent by a court of competent jurisdiction;
- (f) Being convicted of a crime other than minor offenses defined as "minor misdemeanors", "violations" or "offenses" in any court if the acts for which he or she was convicted are found by the Board to have a direct bearing on whether he or she should be entrusted to serve the public in the capacity of an occupational therapist or occupational therapy assistant; or
- (g) Using or holding yourself out as being able to utilize occupational therapy techniques involving physical agent modalities when not certified by the Board to use physical agent modalities;
- (h) Having committed any other conduct which ordinary and reasonable individuals would consider unprofessional.

Applications:

Physical Agent Modality

Physical Agent Modality Certification letter presented to Board by Application Specialist for approval notifying licensees with limited Modality Certification to obtain All Modality Certification.

Board voted to notify licensees holding Limited Certification with letter draft by staff allowing an application for All Modality Certification be submitted for approval.

Board discussed policy, rules, and application process with Board Attorney for those individuals with limited certification.

Board voted to table discussion for application requirements allowing further research from Board President and Board Attorney.

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Board voted to issue a letter of concern to PAMPCA Agency informing that the Board will approve up to 32 hours for Physical Agent Modality Credentialing Course, and to further inform the Executive Director, Scott McPhee, of using the designated initials C.P.A.M. upon completion of the course.

Ms. Domyslawski moved and Ms. Conyers seconded and the Board voted to take the following action on Licensure by Application:

J.B.	Approved with letter of concern
M.E.C.	Approved with letter of concern
S.S.K.	Approved with letter of concern
R.D.H.	Approved with letter of concern
M.C.S.	Approved with letter of concern

Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to take the following action on Licensure by Restoration:

Kelley L. Broyld	Approved
Danetta L. Hardy	Approved
L.M.M	Approved upon receipt of acceptable documentation

Ms. Conyers moved and Ms. Domyslawski seconded and the Board voted to take the following actions on Certifications of Physical Agent Modalities:

Stanley T. Siror	Approved
E.G.L..	Disapproved
Pascale Mathieu	Approved
Katherine C. Toluba	Approved
Rodney B. Black	Approved
J.E.O.	Disapproved
Erika A. Hilby	Approved
Wendy E. Salerno	Approved
Kristen D. Power	Approved
E.K.C.	Disapproved
Benita C. Gordon Smith	Approved
Patricia Ann Oliver	Approved
Isaac Washington III	Approved

Ms. Austin moved and Ms. Cadaret seconded and the Board voted to take the following action on Licensure by Restoration applicant interview:

Maribeth Huffstetler	Approved; upon receipt and docketing of consent agreement
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Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to approve the following reinstatements determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OT002854	Mihelick, Leanne Grace	Occupational Therapist	6/2/2005

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OTA000768	Stanley, Christine Monell	Occupational Therapy Assistant	6/27/2005
OT001681	Slabaugh, Carla Ruth	Occupational Therapist	6/29/2005
OT001507	Kirkley, Robyn R.	Occupational Therapist	6/30/2005

Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to approve the issuance of letters of authority as follows:

Name	Profession	Issue Date
Finch, Jessica	Occupational Therapy Assistant	5/26/2005
Joseph, Nathalie R.	Occupational Therapy Assistant	5/26/2005
McNulty, Lawanda P.	Occupational Therapy Assistant	5/26/2005
Williams, Pamela L.	Occupational Therapy Assistant	5/26/2005
Herndon, Kimberly A.	Occupational Therapy Assistant	5/26/2005
Raymond, Dana Jill	Occupational Therapist	5/26/2005
Evans, Allison Angela	Occupational Therapy Assistant	5/26/2005
Wilson, Ashley E.	Occupational Therapy Assistant	5/27/2005
Johnson, Tomisty M.	Occupational Therapy Assistant	6/1/2005
Stoltz, Autumn Renee	Occupational Therapist	6/1/2005
Pichon, Sarah Lauren	Occupational Therapy Assistant	6/1/2005
McGee, Amber Leigh	Occupational Therapy Assistant	6/2/2005
Tucker, Ian Ray	Occupational Therapy Assistant	6/3/2005
Dennis, Jennifer Carol-Roland	Occupational Therapy Assistant	6/13/2005
Anthon, Jacleen	Occupational Therapy Assistant	6/13/2005
Konate, Assatou	Occupational Therapy Assistant	6/13/2005
Miller, Jennifer Rae	Occupational Therapy Assistant	6/14/2005
Connor, Jessica R.	Occupational Therapy Assistant	6/22/2005

Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to approve applications for Occupational Therapy Assistant licensure by application determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OTA000873	Jenkins, Lindsay Dara	Occupational Therapy Assistant	5/27/2005
OTA000874	Crooks, Linda Kay	Occupational Therapy Assistant	5/27/2005
OTA000875	Bowens, Missey Fox	Occupational Therapy Assistant	6/2/2005
OTA000876	Lucas, Christy Lee	Occupational Therapy Assistant	6/3/2005
OTA000877	Smith, Cecilia M.	Occupational Therapy Assistant	6/14/2005
OTA000878	Wilkins, Tia Lajoi	Occupational Therapy Assistant	6/21/2005
OTA000879	Souther, Michelle Ron'e	Occupational Therapy Assistant	6/24/2005

Ms. Cadaret moved and Ms. Domyslawski seconded and the Board voted to approve applications for Occupational Therapist licensure by application determined to have met licensure requirements as follows:

License No.	Licensee Name	Profession	Issue Date
OT004171	Baker, Gwendon W.	Occupational Therapist	5/24/2006
OT004172	Kirkland, Linda H.	Occupational Therapist	5/26/2005
OT004173	Gordon-Pollack, Aron Nicole	Occupational Therapist	5/26/2005
OT004174	Hall, Jessica Barnes	Occupational Therapist	5/26/2005
OT004175	Whitson, Elizabeth Louise	Occupational Therapist	5/27/2005

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OT004176	Thomson, Jennifer Nicole	Occupational Therapist	5/27/2005
OT004177	Sutton, Melissa Ann	Occupational Therapist	6/1/2005
OT004178	Font, Tamara Pinchevsky	Occupational Therapist	6/1/2005
OT004179	Carver, Sarah Cameron	Occupational Therapist	6/2/2005
OT004180	Tharpe, Xavier Orantes	Occupational Therapist	6/3/2005
OT004181	Williams, Allison Marie	Occupational Therapist	6/3/2005
OT004182	Walsh, Kathleen Walton	Occupational Therapist	6/3/2005
OT004183	Brown, Jessica LouVincey	Occupational Therapist	6/3/2005
OT004184	Benton, Ashley Wilson	Occupational Therapist	6/3/2005
OT004185	Martin, Christine Marie	Occupational Therapist	6/3/2005
OT004186	West, Meredith Gerhard	Occupational Therapist	6/6/2005
OT004187	Scaglione, Corina Lynn	Occupational Therapist	6/13/2005
OT004188	Vitiello, Laurie Ann	Occupational Therapist	6/13/2005
OT004189	Wilderman, Gail Emerson	Occupational Therapist	6/14/2005
OT004190	Baker, Katy Ann	Occupational Therapist	6/14/2005
OT004191	Akin, Julie Marie	Occupational Therapist	6/14/2005
OT004192	Bowsman, Kristine Marie	Occupational Therapist	6/14/2005
OT004193	Washington, Candace Yvette	Occupational Therapist	6/14/2005
OT004194	Stephens, Sandra	Occupational Therapist	6/14/2005
OT004195	Sola, Emily Christine	Occupational Therapist	6/14/2005
OT004196	Stoltz, Autumn Renee	Occupational Therapist	6/21/2005
OT004197	Maddox, Tabatha Lee	Occupational Therapist	6/22/2005
OT004198	Holt, Allison Denise	Occupational Therapist	6/22/2005
OT004199	Legrand, Stanley Troy	Occupational Therapist	6/22/2005
OT004200	Schoeneck, Lynn Helen	Occupational Therapist	7/5/2005
OT004201	Weatherford, April Gayle	Occupational Therapist	7/5/2005

Ms. Domyslawski moved and Ms. Austin seconded and the Board adjourned the meeting at 2:50 p.m.

Kendyl Brock, OTR/L/CHT, President

Mollie L. Fleeman, Division Director

Yvonne LeSane, Board Secretary

Brig Zimmerman, Executive Director